

IPEA
EPO
D-80298 Munich
Germany

14 January 2006

Dear Sirs

PCT/GB2005/001040
Our ref: AQA (PCT)

Thank you for the Written Opinion of the ISA.

The Opinion acknowledges that Claims 1 – 23 are novel, but argues that the claims lack inventive step in light of:

- D1:** US 2003/050042 and
D2: US 2001/054064

Claim 1 of the present application is:

1. A method of simplifying the technical infrastructure deployed in a system for processing questions sent from a mobile telephone over a wireless bearer, comprising the following steps:
 - (a) receiving a question sent from the mobile telephone;
 - (b) handling that question by sending it out for review by one or more human researchers to compose an answer;
 - (c) sending the answer in plain text to the mobile telephone;wherein the question is not restricted to any category of question types, is expressed in natural language and is sent using a premium rate text service.

The examiner accepts that **D1** fails to show:

1. handling a question by sending it out for review by one or more human researchers to compose an answer;
- and also fails to show

Origin Limited
Twisden Works, Twisden Road, London NW5 1DN
E-mail: peter.langley@origin.co.uk

Tel: +44 (0)20 7424 1950 Fax: +44 (0)20 7209 0643
www.origin.co.uk Registration no. 2211999

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2. the question being expressed in natural language.

The examiner argues however that **D1** does show a system in which the question is *not* restricted to any category of question types. As a preliminary point, we disagree with this; in **D1**, there is no explicit disclosure at all of the question potentially relating to any category of question whatsoever. In fact, the opposite appears to be the case. **D1** describes the following examples of information types: “For example, the requesting of a stock market price or of current information such as movie theater program, television program, timetable information” para 0031. These kinds of information can all be simply looked up from a database and are exactly the kinds of information that a wholly *automated* answering system would be capable of locating. There is no suggestion anywhere in **D1** that anything other than conventional, automated information retrieval is contemplated; *but critically, these systems only handle questions restricted to very narrow types. Billing using a premium rate service is hence known, but only in the context of automated information retrieval within very narrow knowledge domains.*

These types of information are also referenced in the Background of the Invention section: (“Using short messages has become very popular in recent years. By now, this service is also used for requesting information, for example for timetable information as concerts.” para 0006). This again strongly suggests that the context of **D1** is conventional automated information retrieval systems – as noted above, these systems only handle questions restricted to very narrow types. Similarly, that the message can be blank (para 0013) again strongly suggests receipt by these kinds of automated services.

Our position therefore is that the present invention differs over **D1** for *three* reasons:

1. a question is *not* restricted to any category of question types;
- 2, handling that question is by sending it out for review by one or more human researchers to compose an answer;
3. the question is expressed in natural language.

The present invention is also directed to delivering answers economically to questions sent from a *mobile telephone*. The mobile telephone limitation is important because of the

small screen and poor keyboard of mobile telephones; these make using a conventional browser and a general search engine impractical. The present invention directly addresses this limitation of mobile telephones.

The objective technical problem posed by **D1** is therefore how to design a system that enables questions to be efficiently answered when the questions (i) are not restricted to any category of question types and (ii) are sent from a mobile telephone. The problem could be called ‘Google for the mobile telephone’. One of the acute aspects of this problem is that the conventional Google approach of simply returning a list of thousands or more of relevance ranked entries is not very helpful for a mobile telephone user: having to scroll through lists of hits and then navigate to and browse through the pages associated with each hit is extremely slow and inconvenient on a mobile telephone. Yet even today, that is the approach which even Google itself offers mobile telephones. The practical difficulties in solving the objective technical problem, arising in the *mobile telephone* context, is very significant.

Yet **D2** does not deal with *mobile telephones* at all, but with PCs running browser applications. **D2** shows a PC that can run a conventional web browser; within the browser window there is a service dialog window into which a user can type queries and see answers entered by a customer service representative (Figure 14A – O). **D2** is hence not relevant to the objective technical problem posed by **D1** at all and should not be combined with **D1** in an obviousness combination. Further, the very strong bias when dealing with the objective technical problem has been to assume that only a fully automated service would be cheap and fast enough for mobile telephone users: deploying human operators in the context of answering questions of any category type and that are sent from a mobile telephone is the kind of insight that the skilled implementer *could* (possibly) extract from **D2**, but it cannot be said that he *would* as a matter of routine do so. Combining **D1** and the human operator aspects of **D2** would only arise with impermissible hindsight knowledge of the present invention.

In any event, **D2** still requires questions to be restricted to a category of question types – i.e. relevant to the web site that is being browsed and that the end-user has queries about.

Hence, even if **D2** could be legitimately combined with **D1**, you would still not have a system in which questions are not restricted to any category of question types. The natural solution to billing for answering questions that are not restricted to any category of question types is *not* a premium rate text service. It is perhaps something closer to Google Answers, where users post questions, plus a price that they are willing to pay for an answer. Using premium rate billing in the context of answering questions that are not restricted to any category of question types has no precedent in the prior art and falls completely outside of the mindset of the skilled person, who would naturally associate premium rate billing with supplying predefined content (e.g. ringtones, wallpapers) or answering questions within such a narrow domain that machine automated answering was feasible. But, surprisingly, billing using a premium rate text service makes the service available to just about anyone, which in turn makes the range of questions asked incredibly wide. So premium rate billing, formerly associated with predefined content or very narrow domains of information, in fact turns out to be a major driver actually causing the questions to be unrestricted in scope. None of this would be apparent to the skilled person reading **D1** and **D2**.

The service covered by the present invention is a real product that has met with considerable commercial success, meeting a long-felt want. The press coverage has been extensive and there has been widespread acknowledgement that the service is innovative. For example, the mobile telephony industry's reaction to the present invention offers further evidence of the non-obviousness of the present invention: Judges at the Mobile Choice Consumer Awards named AQA as the Best Mobile Service for 2004, describing the service as 'having a touch of genius'. November 2005's edition of Real Business lists the applicant (whose only service is that covered by this application) as one of the 50 most exciting and innovative mobile companies in the UK; the service itself was also recently selected as a finalist for the most promising consumer data application by industry body Mobile Data Association. I hope this secondary evidence lends further support to the credibility of our inventive step arguments.

In the light of the above arguments, reconsideration is respectfully requested. Should the examiner require further clarification, a second Written Opinion is requested.

Yours faithfully,

Peter Langley